

**TITLE 15, CALIFORNIA CODE OF REGULATIONS**  
**MINIMUM STANDARDS FOR LOCAL ADULT DETENTION FACILITIES AND FOR LOCAL**  
**JUVENILE FACILITIES**

**PROPOSED AMENDED REGULATIONS**

**1029. Policy and Procedures Manual.**

Facility administrator(s) shall develop and publish a manual of policy and procedures for the facility. The policy and procedures manual shall address all applicable Title 15 and Title 24 regulations. Such a manual shall be made available to all employees and shall be updated at least annually.

(a) The manual for Temporary Holding, Type I, II, and III facilities shall provide for, but not be limited to, the following:

- (1) Table of organization, including channels of communications.
- (2) Inspections and operations reviews by the facility administrator/manager.
- (3) Policy on the use of force.
- (4) Policy on the use of restraint equipment, including the restraint of pregnant inmates as referenced in Penal Code Section 6030 (f).
- (5) Procedure and criteria for screening newly received inmates for release per Penal Code Sections 849(b)(2) and 853.6, and any other such processes as the facility administrator is empowered to use.
- (6) Security and control including physical counts of inmates, searches of the facility and inmates, contraband control, and key control. Each facility administrator shall, at least annually, review, evaluate, and make a record of security measures. The review and evaluation shall include internal and external security measures of the facility.
- (7) Emergency procedures include:
  - (A) fire suppression preplan as required by Section 1032 of these regulations;
  - (B) escape, disturbances, and the taking of hostages;
  - (C) civil disturbance;
  - (D) natural disasters;
  - (E) periodic testing of emergency equipment; and,
  - (F) storage, issue, and use of weapons, ammunition, chemical agents, and related security devices.
- (8) Suicide Prevention.
- (9) Segregation of Inmates.

The policies and procedures required in subsections (6) and (7) may be placed in a separate manual to ensure confidentiality.

- (b) The manual for court holding facilities shall include all of the procedures listed in subsection (a), except number (5)
- (c) The manual for Type IV facilities shall include, in addition to the procedures required in subsection (a), except number (5), procedures for:
  - (1) accounting of inmate funds;
  - (2) community contacts;
  - (3) field supervision;
  - (4) temporary release; and
  - (5) obtaining health care.

#### **Section 1206. Health Care Procedures Manual.**

The health authority shall, in cooperation with the facility administrator, set forth in writing, policies and procedures in conformance with applicable state and federal law, which are reviewed and updated at least annually and include but are not limited to:

- (a) summoning and application of proper medical aid;
- (b) contact and consultation with private physicians;
- (c) emergency and non-emergency medical and dental services, including transportation;
- (d) provision for medically required dental and medical prostheses and eyeglasses;
- (e) notification of next of kin or legal guardian in case of serious illness which may result in death;
- (f) provision for screening and care of pregnant and lactating women, including prenatal and postpartum information and care, including but not limited to access to necessary vitamins as recommended by a doctor, information pertaining to childbirth education and infant care, and other services mandated by statute;
- (g) screening, referral and care of mentally disordered and developmentally disabled inmates;
- (h) implementation of special medical programs;
- (i) management of inmates suspected of or confirmed to have communicable diseases;
- (j) the procurement, storage, repackaging, labeling, dispensing, administration-delivery to inmates, and disposal of pharmaceuticals;
- (k) use of non-physician personnel in providing medical care;
- (l) provision of therapeutic diets;
- (m) patient confidentiality and its exceptions;
- (n) the transfer of pertinent individualized health care information, or individual documentation that no health care information is available, to the health authority of another correctional system, medical facility, or mental health facility at the time each inmate is transferred and prior notification pursuant to Health and Safety Code Sections 121361 and 121362 for inmates with known or suspected active tuberculosis disease. Procedures for notification to the transferring health care staff shall allow sufficient time to prepare the summary. The summary

information shall identify the sending facility and be in a consistent format that includes the need for follow-up care, diagnostic tests performed, medications prescribed, pending appointments, significant health problems, and other information that is necessary to provide for continuity of health care. Necessary inmate medication and health care information shall be provided to the transporting staff, together with precautions necessary to protect staff and inmate passengers from disease transmission during transport.

- (o) forensic medical services, including drawing of blood alcohol samples, body cavity searches, and other functions for the purpose of prosecution shall not be performed by medical personnel responsible for providing ongoing health care to the inmates.

#### **Section 1248. Medical Diets.**

The responsible physician, in consultation with the facility administrator, shall develop written policies and procedures that identify the individual(s) who are authorized to prescribe a medical diet. The medical diets utilized by a facility shall be planned, prepared and served with consultation from a registered dietitian. The facility manager shall comply with any medical diet prescribed for an inmate.

The facility manager and responsible physician shall ensure that the medical diet manual, which includes sample menus of medical diets, shall be available in both the medical unit and the food service office for reference and information. A registered dietitian shall review, and the responsible physician shall approve, the diet manual on an annual basis.

Pregnant women shall be provided a balanced, nutritious diet approved by a doctor.

#### **Section 1358. Use of Physical Restraints.**

(a) The facility administrator, in cooperation with the responsible physician and mental health director, shall develop written policies and procedures for the use of restraint devices. In addition to the areas specifically outlined in this regulation, as a minimum, the policy shall address the following areas: known medical conditions that would contraindicate certain restraint devices and/or techniques; acceptable restraint devices; signs or symptoms which should result in immediate medical/mental health referral; availability of cardiopulmonary resuscitation equipment; protective housing of restrained minors; provision for hydration and sanitation needs; and exercising of extremities.

(b) Restraint devices include any devices which immobilize a minor's extremities and/or prevent the minor from being ambulatory. Physical restraints should be utilized only when it appears less restrictive alternatives would be ineffective in controlling the disordered behavior. Physical restraints shall be used only for those minors who present an immediate danger to themselves or others, who exhibit behavior which results in the destruction of property, or reveals the intent to cause self-inflicted physical harm. The circumstances leading to the application of restraints must be documented.

(c) Minors shall be placed in restraints only with the approval of the facility manager or designee. The facility manager may delegate authority to place a minor in restraints to a physician. Reasons for continued retention in restraints shall be reviewed and documented at a minimum of every hour. A medical opinion on the safety of placement and retention shall be secured as soon as possible, but no later than two hours from the time of placement. The minor shall be medically cleared for continued retention at least every three hours thereafter. A mental health consultation shall be secured as soon as possible, but in no case longer than four hours from the time of placement, to assess the need for mental health treatment.

(d) Continuous direct visual supervision shall be conducted to ensure that the restraints are properly employed, and to ensure the safety and well-being of the minor. Observations of the minor's behavior and any staff interventions shall be documented at least every 15 minutes, with actual time of the documentation recorded. While in restraint devices all minors shall be housed alone or in a specified housing area for

restrained minors which makes provision to protect the minor from abuse. In no case shall restraints be used as punishment or discipline, or as a substitute for treatment. Additionally, the affixing of hands and feet together behind the back (hogtying) is prohibited.

(e) The provisions of this section do not apply to the use of handcuffs, shackles or other restraint devices when used to restrain minors for movement or transportation reasons.

(f) The use of restraints on pregnant minors is limited in accordance with Penal Code Section 6030(f) and Welfare and Institutions Code Section 222.

#### **Section 1461. Minimum Diet.**

The minimum diet provided shall be based upon the nutritional and caloric requirements found in the 1999-2002 Dietary Reference Intakes (DRI) of the Food and Nutrition Board, Institute of Medicine of the National Academies; the 1990 California Daily Food Guide, and the 2005 Dietary Guidelines for Americans. Facilities electing to provide vegetarian diets, and facilities that provide religious diets, shall also conform to these nutrition standards.

The nutritional requirements for the minimum diet are specified in the following subsections. Snacks may be included as part of the minimum diet. A wide variety of foods should be served and spices should be used to improve the taste and eye appeal of food served.

(a) Protein Group. Includes: beef, veal, lamb, pork, poultry, fish, eggs, cooked dry beans, peas, lentils, nuts, peanut butter, and textured vegetable protein (TVP). One serving equals 14 grams or more of protein; the daily requirements shall equal two servings. In addition, there shall be a requirement to serve a third serving from the legumes three days a week. One serving equals, but is not limited to, one of the following examples:

- 2 to 3 oz. (without bone) lean, cooked meat, poultry or fish
- 2 medium eggs
- 1 cup cooked dry beans, peas, or lentils
- 4 Tbsp. peanut butter
- 8 oz. tofu
- 2 1/4 oz. dry, or 1 cup rehydrated, canned, or frozen TVP
- 1/2 cup seeds
- 2/3 cup nuts

(b) Dairy Group. Includes milk (fluid, evaporated or dry; nonfat; 1% or 2% reduced fat, etc.); cheese (cottage, cheddar, etc.); yogurt; ice cream or ice milk, and pudding. A serving is equivalent to 8 oz. of fluid milk and provides at least 250 mg of calcium. All milk shall be pasteurized and fortified with vitamins A and D. For persons 9-18 years of age, including pregnant and lactating women, the daily requirement is four servings.

One serving equals, but is not limited to, one of the following examples:

- 8 oz. fluid milk (nonfat, 1% or 2% reduced fat)
- 1 1/2 oz. natural cheese

2 oz. processed cheese  
 1 1/2 cups of lowfat, or nonfat cottage cheese  
 1 1/2 cups of ice milk, or ice cream  
 1/3 cup nonfat dry milk  
 1/2 cup nonfat, or lowfat evaporated milk  
 1 cup nonfat, or lowfat plain yogurt  
 1 cup pudding

(c) Vegetable-Fruit Group. Includes: fresh, frozen, dried, and canned vegetables and fruits. One serving equals: 1/2 cup vegetable or fruit; 6 oz. of 100% juice; 1 medium apple, orange, banana, or potato; 1/2 grapefruit, or 1/4 cup dried fruit. The daily requirement shall be at least six servings; at least one serving shall be from each of the following three categories:

- (1) One serving of a fresh fruit or vegetable.
- (2) One serving of a Vitamin C source containing 30 mg. or more. One serving equals, but is not limited to, the following examples:

Broccoli	Orange juice
Brussels Sprouts	Potato (baked only)
Cabbage	Strawberries
Cantaloupe, or honeydew melon	Tangerine, large
Cauliflower	Tomato paste
Green and red peppers (not dehydrated)	Tomato puree
Greens collards including kale, turnip, and mustard greens	Tomato juice
Grapefruit	Tomato sauce (6 oz.)
Grapefruit juice	Vegetable juice cocktail
Orange	

- (3) One serving of a Vitamin A source fruit or vegetable containing 200 micrograms Retinol Equivalents (RE) or more. One serving equals, but is not limited to, the following examples:

Apricot nectar (6 oz.)	Peas and carrots
Apricots	Pumpkin
Cantaloupe	Red peppers
Carrots	Sweet potatoes or yams
Greens, including kale, beets, chard, mustard, turnips, or spinach	Vegetable juice cocktail
Mixed vegetables with carrots	Winter squash

- (d) Grain Group. Includes: bread, rolls, pancakes, sweet rolls, ready-to-eat, or cooked cereals, corn bread, pasta, rice, tortillas, etc., and any food item containing whole or enriched grains. At least three servings from this group must be made with some whole grains. The daily requirement for minors shall be a minimum of six servings. One serving equals, but is not limited to, one of the following examples:

Bread, white (including French and Italian), whole wheat, rye, pumpernickel, or raisin	1 slice
Bagel, small	1/2
English muffin, small	1/2
Plain roll, muffin or biscuit	1
Frankfurter roll	1/2
Hamburger bun	1/2
Dry bread crumbs	3 Tbsp.
Crackers:	
Arrowroot	3
Graham, 2 1/2 "	2
Matzo, 4" x 6"	1/2
Oyster	20
Pretzels, 3 1/8" long, 1/8" diameter	25
Rye wafers, 2" x 3 1/2"	3
Soda, 2 1/2" sq.	6
Ready-to-eat unsweetened cereal	3/4 cup
Cereal, cooked	1/2 cup
Barley, couscous, grits, macaroni, noodles, pastas, rice, spaghetti, etc.	1/2 cup
Cornmeal, dry	2 Tbsp.
Flour (wheat, whole wheat, carob, soybean, cornmeal, etc.)	2 1/2 Tbsp.
Wheat germ	1/4 cup
Pancakes, 5"	1
Waffle, 5"	1
Tortilla, 6" (corn/flour)	1

The following are examples of whole grains and whole grain products:

Barley	Pumpernickel bread
Bran	Rolled oats
Brown rice	Rye
Corn meal	Whole grain
tortilla	bagels, muffins, and
baked taco/tostada shell	crackers, graham
Cracked wheat (bulgur)	hot cereal
Flour	pancakes and waffles
carob	ready-to-eat cereal
soybean	Whole wheat
whole wheat	bread
Oatmeal	rolls
Popcorn	tortilla

(e) Calories. The average daily caloric allowances shall be as follows: 2200 calories for females 11 to 18 years of age; 2500 to 3000 calories for males 11 to 18 years of age.

(1) Providing only the minimum servings outlined earlier in this regulation is not sufficient to meet the minors' caloric requirements. Based on activity levels, additional servings from dairy, vegetable-fruit, and bread-cereal groups shall be provided in amounts to meet caloric requirements. Pregnant minors shall be provided with a diet as approved by a doctor in accordance with Penal Code Section 6030(e) and Welfare and Institutions Code Section 222 and a supplemental snack, if medically indicated.

(2) In keeping with chronic disease prevention goals, total dietary fat should not exceed 30 percent of total calories on a weekly basis. Fat shall be added only in minimum amounts necessary to make the diet palatable.

#### **Section 1417. Pregnant Minors.**

With the exception of special purpose juvenile halls, the health administrator for each juvenile facility, in cooperation with the facility administrator, shall develop written policies and procedures pertaining to pregnant minors that address the following: a diet, vitamins and education as required by Penal Code Section 6030(e) and limitations on the use of restraints in accordance with Penal Code Section 6030(f) and Welfare and Institutions Code Section 222.

#### **Section 1357 Use of Force.**

The facility administrator, in cooperation with the responsible physician, shall develop written policies and procedures for the use of force, which may include chemical agents. Force shall never be applied as punishment, discipline or treatment.

(a) At a minimum, each facility shall develop policy statements which:

(1) define the term "force," and address the escalation and appropriate level of force, while emphasizing the need to avoid the use of force whenever possible and using only the amount of force necessary to ensure the safety of minors and others;

(2) describe the requirements for staff to report the use of force, and to take affirmative action to stop the inappropriate use of force;

(3) define the role and notification of medical and mental health staff concerning the use of force; and,

(4) define the training which shall be provided and required for the use of force.

(b) Policies and procedures shall be developed which include, but are not limited to, the types, levels and application of force, documentation of the use of force, a grievance procedure, a system for investigation of the use of force, and discipline for the improper use of force. Such procedures shall address:

(1) the specific use of physical, chemical agent, lethal, and non-lethal force that may, or may not, be used in the facility; ~~and,~~

(2) the limitations regarding use of force on pregnant minors in accordance with Penal Code 6030(f) and Welfare and Institutions Code Section 222; and,



- (3) a standardized format, time period, and procedure for reporting the use of force, including the reporting requirements of management and line staff.